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FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554

In the Matter of )  
 )  
Policies and Rules Implementing )  
the Telephone Disclosure and )  
Dispute Resolution Act )

CC Docket No. 93-22

COMMENTS OF SPRINT

Sprint Communications Company L.P. ("Sprint") supports MCI's Petition for Limited Reconsideration of the Report and Order (Order) released August 18, 1993 (FCC 93-349) in the above-captioned docket. In that Order, the Commission adopted new regulations governing the provision of interstate pay-per-call services to meet the requirements of the Telephone Disclosure and Dispute Resolution Act (TDDRA).<sup>1</sup> MCI requests that the Commission reconsider Section 64.1510(b) of its Rules which requires that

[a]ny common carrier offering billing and collection services to an entity providing interstate information services pursuant to a presubscription or comparable arrangement... shall, to the extent possible, display the billing information in the manner described in paragraphs (a)(2)(i)-(ii) of this section.

Paragraph (a)(2)(i) requires four statements concerning the

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<sup>1</sup>Public Law 102-556, 106 Stat. 4181, approved October 28, 1992.

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non-communications nature of pay-per-call services, voluntary and involuntary blocking, and restrictions on disconnection of local and long distance services for non-payment. Section (a)(2)(ii) requires that charges for pay-per-call services be displayed "in a part of the bill that is identified as not being related to local and long distance telephone charges."

MCI points out that the TDDRA applies to pay-per-call services, not 800 information services, and that consumers of 800 information services are protected by the presubscription or comparable arrangements which they have entered into with the information services providers. Disclosure statements in every invoice are unnecessary for such presubscription services because the information service provider must, inter alia, disclose "all material terms and conditions associated with the use of the service" (Section 64.1501(c)(1)(i)). MCI also states that the costs associated with compliance greatly exceed any benefits.

Sprint agrees with MCI. The Commission's rule requiring common carriers that provide billing and collection services to 800 information service providers comply with the billing information and format of pay-per-call services goes well beyond the mandate of TDDRA. Moreover, the costs associated with compliance outweigh any benefits derived therefrom.

In fact, it is difficult to perceive any benefits flowing from such requirement. Certainly, the Commission does not explain the need for the application of these pay-per-call rules to information services provided pursuant to a presubscription or comparable arrangement. In its discussion of the rule, the

Commission refers to Cincinnati Bell Telephone's (CBT's) response to the Commission's request for comments on the feasibility of "a prohibition against carrier billing for any interstate collect calls that offer or initiate audiotext or simultaneous voice conversation programs" (Notice of Proposed Rulemaking (NPRM), released March 19, 1993, at para. 36). CBT did not support such a prohibition because "it is unable at the present time to distinguish between unregulated collect audiotext calls and regulated collect calls" (Comments of CBT at 2). As a result, the Commission required the segregation of collect information service "whenever possible" (Order at para. 74).

Then, almost as an afterthought, the Commission extended the requirement for segregation of charges to information services provided pursuant to a presubscription or comparable arrangement. However, the Commission did not find that such extension was necessary to protect consumers. On the contrary, the Commission stated that the rules would apply because common carriers are able to separate charges in their bills pursuant to their contractual agreements with information services providers (id.):

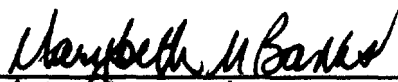
Since these services are provided pursuant to specific arrangements between customers and IPs, carriers who choose to bill for such services on behalf of IPs should be able to include in their billing contracts provisions for identifying such services and billing the separately.

As the Commission has stated, the purpose of TDDRA is "to both promote the legitimate development of pay-per-call services and shield consumers from fraudulent and deceptive practices" (Order at para. 3). Neither of these is applicable to

information services provided under presubscription or comparable arrangements.

For the above reasons, Sprint respectfully requests that the Commission reconsider Section 64.1510(b) of its Rules.

Respectfully submitted,  
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November 23, 1993

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I hereby certify that a copy of the foregoing "Comments" of Sprint Communications Company L.P. was sent via first-class mail, postage-prepaid, on this the 23rd day of November, 1993, to the below-listed parties:

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